

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JAMES E. BOSTIC,)
)
Plaintiff,)
)
v.) Civil No. 3:14-cv-01068
) Judge Trauger
)
SHARA BIGGS, ET AL.,)
)
Defendant.)

O R D E R

On January 13, 2017, the magistrate judge issued a Report and Recommendation (Docket No. 169), to which the *pro se* plaintiff has filed objections (Docket Nos. 175, 177).

The magistrate judge recommends the granting of defendant Metropolitan Government of Nashville and Davidson County's Motion to Remand (Docket No. 128), which is a dispositive matter. When a magistrate judge issues a report and recommendation regarding a dispositive pretrial matter, the district court must review *de novo* any portion of the report and recommendation to which a specific objection is made. Fed. R. Civ. P. 72(b); *Massey v. City of Ferndale*, 7 F.3d 506, 510 (6th Cir. 1993). Objections must be specific; an objection to the report in general is not sufficient and will result in waiver of further review. See *Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995).

The plaintiff's objections do not relate to the legal principles upon which the magistrate judge based her ruling. He argues the merits of his case and asserts that he is entitled to a jury trial, all of which arguments can be made to the Davidson County Circuit Court where the plaintiff chose to originally file this case. The fact remains that defendant Metro, served late in the case, does not agree to the removal and is entitled to have the case remanded.

For the reasons expressed herein, the plaintiff's objections are OVERRULED and the Report and Recommendation is hereby ACCEPTED and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby ORDERED that

defendant Metro's Motion to Remand (Docket No. 128) is GRANTED, and this case is remanded to the Circuit Court for Davidson County, Tennessee, from whence it was removed. Defendant Metro's Motion to Dismiss (Docket No. 105) is DENIED AS MOOT. Given this remand, the Clerk shall term all other pending motions.

It is so **ORDERED**.

ENTER this 14th day of February 2017.



ALETA A. TRAUGER
U.S. District Judge